

Regular Session, 2009

HOUSE BILL NO. 599

BY REPRESENTATIVE HILL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS/COURT REPORTERS: Authorizes the issuance of a temporary permit for official court reporting

1 AN ACT

2 To enact R.S. 37:2556(D), relative to temporary court reporting permits; to provide for  
3 qualifications and limitations; to provide for licensing and education requirements;  
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:2556(D) is hereby enacted to read as follows:

7 §2556. Appointment of a reporter

8 \* \* \*

9 D. In recognition of the need for qualified official court reporters in under-  
10 served courts of the state, the board is authorized to promulgate regulations and  
11 initiate such other actions as it deems necessary to implement procedures for the  
12 temporary permits of court reporters.

13 (1) The judge of a court of record shall certify to the board by affidavit that  
14 a need exists to employ an official court reporter and that the court has been unable  
15 to identify a certified court reporter to serve in that capacity. The affidavit shall be  
16 accompanied by a description of duties and may be accompanied by the name and  
17 resume of a candidate the judge considers capable of discharging the duties of an  
18 official court reporter.

19 (2) Upon receiving the affidavit and description of duties, the board shall  
20 promptly advertise the vacant position to certified court reporters and shall forward

1 to the judge the names and contact information of any licensed applicant responding  
2 to such advertisement.

3 (3) If no certified court reporter responds to the advertisement of the vacant  
4 position, the board shall evaluate the capabilities of any noncertified applicant whose  
5 name is submitted for consideration by the judge, and may gather information,  
6 administer tests, conduct interviews, or otherwise evaluate the capabilities of the  
7 applicant.

8 (4) The board may issue a temporary permit to a noncertified applicant if the  
9 board determines that the issuance of a temporary permit is necessary to meet the  
10 needs of the court for a qualified official court reporter. The permit shall be valid for  
11 an initial period of one year from the date of issuance and may be extended at the  
12 board's discretion for an additional period of one year.

13 (5) Prior to receiving a permit, the applicant shall select an approved method  
14 of court reporting to study and shall inform the board of a specific plan for acquiring  
15 expertise in the use of that method. A temporary permit holder shall be subject to the  
16 jurisdiction of the board and to all statutes and rules governing practice as a court  
17 reporter and shall also be subject to the following additional requirements and  
18 restrictions:

19 (a) The permit holder shall obtain six education credits within one year after  
20 issuance of a permit and shall thereafter obtain six education credits within each  
21 additional one year period of extension.

22 (b) The permit holder shall practice as an official court reporter exclusively  
23 for the court or judge identified in the board's motion granting the permit. The holder  
24 of a temporary permit shall not engage in freelance reporting.

25 (6) The board may require the permit holder to pursue additional studies and  
26 to report periodically on the progress of the approved plan of study. Upon a showing  
27 that the permit holder is a student in good standing at a court reporting school, the  
28 board may extend the permit for a second additional period of one year. The board

1        shall not grant any further extensions nor shall the board grant a temporary permit  
2        thereafter for the same person.

3                (7) A temporary permit holder may sit for any examination offered by the  
4        board during the period for which a permit is issued. If the permit holder successfully  
5        completes the requirements for certification in one of the approved methods of court  
6        reporting, the permit shall be replaced by a certificate authorizing practice as a  
7        certified court reporter in Louisiana.

8                (8) Any violation of the requirements governing temporary permits or any  
9        other violation of the statutes and rules governing practice as a court reporter shall  
10       subject the permit holder to disciplinary proceedings by the board, including  
11       procedures for suspension or revocation of the permit pursuant to this Section.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Hill

HB No. 599

**Abstract:** Provides for temporary permits for nonlicensed court reporters.

Proposed law provides that when a position for a court reporter is available, it is advertised to official court reporters, and there are none available to take the position, the board may grant temporary licenses to noncertified court reporters.

Proposed law provides for the issuance of a temporary permit for one year to noncertified court reporters, with a possible extension of one year if the temporary permit holder is pursuing certification as an official court reporter.

Proposed law provides that the temporary permit may be extended for an additional year if the permit holder shows that he is a student, in good standing, at a court reporting school. No further extensions shall be granted after this period expires.

Proposed law provides that the temporary permit holder may sit for any examination offered by the board, and upon completing the requirements for certification in one of the approved methods of court reporting, the permit shall be replaced by a certificate authorizing practice as a certified court reporter.

(Adds R.S. 37:2556(D))